IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

Bail Appl..No. 7475 of 2007()

CMP.10113/2007 of J.M.F.C.,IRINJALAKUDA
CRIME 802/07 OF IRINJALAKUDA POLICE STATION

.....

PETITIONER/ : 1ST ACCUSED:

SHAJI @ SHIJU E.X., S/O.XAVIER,
ELANJIKAL HOUSE, P.O.ARIPPALAM, THRISSUR DISTRICT.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS: COMPLAINANT:

THE STATE OF KERALA, REP. BY THE SUB INSPECTOR OF POLICE, IRINJALAKUDA POLICE STATION, THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA AT ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.GIKKU JACOB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. No. 7475 OF 2007 D

Dated this the 5th day of December, 2007

O R D E R

Application for regular bail. The petitioner faces allegations for offences punishable, inter alia, under Section 308 IPC and Section 3 of the Explosive Substances Act. The petitioner had come to this Court earlier with a prayer for anticipatory bail. By order dated 6.11.07 in B.A.6739/07, the said prayer was rejected. The petitioner subsequently surrendered before the learned Magistrate on 19.11.07. He was remanded to custody. He was given over to the police custody also for the purpose of investigation. The petitioner, thus, continues in custody from 19.11.07. Investigation is not complete.

2. The crux of the allegations is that the petitioner on account of animosity which he entertained to the employees of a bar hotel, had allegedly caused an explosion in the room of the de facto complainant and as a result of it, the de facto complainant sustained injuries. The alleged incident took place on 19.10.07. The petitioner continues in custody from 19.11.07.

3. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on

condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

4. In the result, this petition is allowed. The petitioner shall be enlarged on bail on the following terms and conditions:-

i) The petitioner shall not be released on bail on the strength of this order prior to 15/12/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

aks